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TC 1700

Atty. Dkt. No. 040679-1263

RCE/1700  
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Toshimitsu KIMURA et al.  
Title: STEEL FOR HIGH BEARING  
PRESSURE-RESISTANT  
MEMBER, HAVING HIGH  
MACHINABILITY, AND  
HIGH BEARING PRESSURE-  
RESISTANT MEMBER  
USING SAME STEEL

Appl. No.: 09/854,673

Appl. Filing Date: 05/15/2001

Examiner: H. Wilkins III

Art Unit: 1742

#10  
PX  
08/14/03

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

☒ [ X ] Please enter and consider the amendment/reply previously filed on  
March 7, 2003.

☐ [ ] Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but  
not considered.

08/06/2003 EFLORES 00000068 09854673

01 FC:1801

750.00 OP

08/08/2003 EFLORES 00000003 190741 09854673

01 FC:1460

130.00 DA

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.

☐ Other \_\_\_\_.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of \_\_\_\_ listed reference(s).

☐ Other .

Miscellaneous:

☒ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of 2 months.

The filing fee is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Fee Totals
RCE Fee 1.17(e)							\$750.00		\$750.00
Total Claims:	<u>24</u>	—	<u>25</u>	=	<u>0</u>	x	\$18.00	=	<u>\$0.00</u>
Independents:	<u>5</u>	—	<u>5</u>	=	<u>0</u>	x	\$84.00	=	<u>\$0.00</u>
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	<u>\$0.00</u>
CLAIMS FEE TOTAL:								=	<u>\$750.00</u>

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$750.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)		\$130.00
TOTAL FEE:			\$880.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$880.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$880.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

7/5/03

By



FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399

Leon Radomsky  
Attorney for Applicant  
Registration No. 43,445

The PTO did not receive the following listed items(s) a check of \$880.00  
we have \$750.00